

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the Application of:

Masaki YAMAMOTO

Serial No. 09/890,143

Group Art Unit: 2882

Confirmation No. 7584

Filed: July 26, 2001

Examiner: Chih Cheng G. Kao

For: OPTICAL ELEMENT SUCH AS MULTILAYER FILM REFLECTION MIRROR,
PRODUCTION METHOD THEREFOR AND DEVICE USING IT

COMMENT ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Notice of Allowability mailed October 29, 2008, included an Examiner's Statement of Reasons for Allowance (hereafter, the "Statement").

Please note that MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.


It is respectfully submitted that the Statement improperly describes claim 60 with language that is not from that claim, and instead appears to be from other claims. It is respectfully submitted that such description of claim 60 is improper under 37 C.F.R. §1.104 and as explained in M.P.E.P. §1302.14.

It is further submitted that the claims speak for themselves and should not be interpreted based on any improper description in the Statement.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 12/1/08

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